

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

WESTERN DIVISION

ESTATE OF ROGER D. :
OWENSBY JR., et al., :
 :
Plaintiffs, :
vs. : Case No. 01-CV-769
 : (Judge S. A. Spiegel)
CITY OF CINCINNATI, :
et al., :
 :
Defendants. :

Deposition of RENEE LOUISE HINTON, a
witness herein, called by the plaintiffs for direct
examination, pursuant to the Federal Rules of Civil
Procedure, taken before me, Wendy Davies Welsh, a
Registered Diplomate Reporter and Notary Public in
and for the State of Ohio, at the offices of Helmer,
Martins & Morgan Co. LPA, 1900 Fourth & Walnut
Centre, 105 East Fourth Street, Cincinnati, Ohio, on
Monday, December 1, 2003, at 10:10 a.m.

| | |
|---|---|
| <div>1 APPEARANCES:</div> <div>2 On behalf of the Plaintiffs:</div> <div>3 Paul B. Martins, Esq. 4 Helmer, Martins & Morgan Co. LPA 5 Suite 1900, Fourth & Walnut Centre 6 105 East Fourth Street 7 Cincinnati, Ohio 45202 8 Phone: (513) 421-2400</div> <div>9 John J. Helbling, Esq. 10 The Helbling Law Firm, L.L.C. 11 3672 Springdale Road 12 Cincinnati, Ohio 45251 13 Phone: (513) 923-9740</div> <div>14 On behalf of the Defendants City of Golf Manor, 15 Stephen Tilley, Roby Heiland and Chris 16 Campbell:</div> <div>17 Wilson G. Weisenfelder Jr., Esq. 18 Rendigs, Fry, Kiely & Dennis 19 900 Fourth & Vine Tower 20 One West Fourth Street 21 Cincinnati, Ohio 45202-3688 22 Phone: (513) 381-9200</div> <div>23 On behalf of Defendants City of Cincinnati, 24 Darren Sellers, Jason Hodge:</div> <div>25 Geri Hernandez Geiler, Esq. 26 Assistant City Solicitor 27 Department of Law 28 Room 214, City Hall 29 801 Plum Street 30 Cincinnati, Ohio 45202 31 Phone: (513) 352-3346</div> | <div>Page 2</div> <div>1 S T I P U L A T I O N S</div> <div>2 It is stipulated by and among counsel for the</div> <div>3 respective parties that the deposition of RENEE</div> <div>4 LOUISE HINTON, a witness herein, called by the</div> <div>5 plaintiffs for direct examination, pursuant to the</div> <div>6 Federal Rules of Civil Procedure, may be taken at</div> <div>7 this time by the notary; that said deposition may be</div> <div>8 reduced to writing in stenotype by the notary, whose</div> <div>9 notes may then be transcribed out of the presence of</div> <div>10 the witness; and that proof of the official</div> <div>11 character and qualifications of the notary is</div> <div>12 expressly waived.</div> <div>13 - - -</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> |
| <div>1 APPEARANCES (Continued):</div> <div>2 On behalf of the Defendants Robert B. Jorg, 3 Patrick Caton, Jason Hodge, Victor Spellman and 4 Darren Sellers:</div> <div>5 Donald E. Hardin, Esq. 6 Hardin, Lefton, Lazarus & Marks, LLC 7 915 Cincinnati Club Building 8 30 Garfield Place 9 Cincinnati, Ohio 45202 10 Phone: (513) 721-7300</div> <div>11 - - -</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> | <div>Page 3</div> <div>1 I N D E X</div> <div>2 Examination by: Page</div> <div>3 Mr. Martins 6</div> <div>4 Mr. Hardin 23</div> <div>5 Mr. Martins 51</div> <div>6 - - -</div> <div>7</div> <div>8 E X H I B I T S</div> <div>9</div> <div>10 (No Exhibits were marked.)</div> <div>11 - - -</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> |

Page 10

1 you and Officer Jorg and what Officer Jorg said to
2 you.

3 A. Yes.

4 Q. Please.

5 A. Me and Karen Harrison-Tucker was over in
6 the men's department. I happened to see Mr. Jorg
7 walk in the door. I approached him first, and I
8 say, I said, "Hey." He kind of looked at me like he
9 didn't know who I was. I said, "This is Hinton from
10 the police academy." And so we embraced each other,
11 gave each other a hug, 'cause we was happy to see
12 each other.

13 Q. Let me interrupt you for a second. When
14 you said, "This is Hinton from the police academy,"
15 did he appear to then recognize you?

16 A. Correct.

17 Q. Okay. Go ahead.

18 A. What had happened after that, I asked him,
19 I said, "What you been doing?" He said to me, "I
20 know you've been watching the TV." And I said,
21 "Yes." I said, "Yes, I've been watching the news."
22 And I proceeded to ask him what happened.

23 He said a week prior his partner got beat
24 up by Mr. Owensby. And I asked him -- and he

Page 11

1 started to proceed on and tell me what happened. He
2 said they was looking for him and they was angry,
3 because he got away.

4 But his demeanor, when he was telling the
5 story he was -- his body language changed. I don't
6 know. He was like he was there telling me the
7 story, but he had hand motioned at the time when he
8 was telling the story, like, "We was mad, he got
9 away, we was looking for him," and that's what he
10 stated to me. I said, "How you know he was up
11 there?" He said, "I got a call that he was there."

12 Q. Do you recall anything else that you and
13 he said?

14 A. No.

15 Q. Did --

16 MR. HARDIN: I'm sorry, I didn't get an
17 answer.

18 A. I'm sorry.

19 Q. Just repeat --

20 A. I said "no." I'm sorry.

21 Q. When he told you that, "I got a call that
22 he was there," did the conversation then end at that
23 point or did you say anything to him or did he
24 continuac?

Page 12

1 A. We started talking about the other
2 recruits that was in our class, what they was doing.
3 But then we kept on talking -- you know, we was
4 talking about the classmates.

5 And then I had to remind Jorg that human
6 being life was taken, because how his demeanor was.
7 So that's why I stated to him. That's when his
8 demeanor changed back how we started our
9 conversation from the beginning.

10 Q. What do you mean you had to remind him?
11 What did you say?

12 A. I specifically told him that human being
13 life was taken. Because to me he seemed like he
14 didn't have no remorse during that time telling me
15 what was going on, like he was still angry.

16 Q. When you said to him something to the
17 effect that a human being's life was taken, was that
18 in response to something that he had said?

19 A. Yes, it was. I'm trying to really
20 remember. Yes. Because what he was thinking about,
21 during that time his wife happened to walk back over
22 to us, and that's when he introduced -- boy, I
23 remember her. They were so concerned about him
24 keeping his job. That's why the conversation came

Page 13

1 about, when I said to him, "A human being life was
2 taken." Because they was more thinking about the
3 job sake and the home sake, to me. And that's why I
4 stated that.

5 Q. Did Mrs. Jorg say anything to you?

6 A. The only thing she said, she was worried
7 about his job. She hoped he would keep his job.

8 Q. Do you recall Officer Jorg saying anything
9 else?

10 A. No.

11 Q. When he told you that his partner got beat
12 up by Mr. Owensby --

13 A. Yes.

14 Q. -- did he explain when this happened?

15 A. Yes.

16 Q. When?

17 A. He said a week prior.

18 Q. Did he say how it happened?

19 A. No, he didn't go into specific with me on
20 that.

21 Q. You said, "angry, because he got away" and
22 that they were looking for him. Did he use those
23 words or did he --

24 A. Yes, that's the words that he used.

10:59:58 1 A. Right. That's a figure of speech.

11:00:00 2 MR. MARTINS: I have nothing else. Thank
11:00:02 3 you, ma'am.

11:00:04 4 Now, you have the right to review the
11:00:08 5 transcript of the deposition and make any
11:00:14 6 corrections to it. So I know you're not
11:00:20 7 represented by anybody here, but my advice to
11:00:22 8 you would be yes, that you would like to review
11:00:25 9 it.

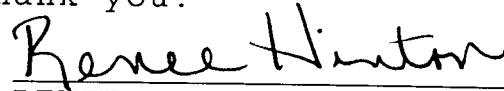
11:00:26 10 THE WITNESS: Yes.

11:00:27 11 MR. MARTINS: If you like, since I'm
11:00:29 12 ordering a copy of it, I can send it to you to
11:00:32 13 look at. There's a time frame the court
11:00:34 14 reporter will put on it that you have to review
11:00:37 15 it, make your corrections, sign it and get it
11:00:40 16 back to her.

11:00:41 17 THE WITNESS: Yes.

11:00:43 18 MR. MARTINS: That would be my advice to
11:00:45 19 you. We're completed. Thank you very much.

11:00:48 20 THE WITNESS: Thank you.

11:00:48 21 
11:00:48 22 RENE E LOUISE HINTON

11:00:48 23 (Deposition concluded at 11:00 a.m.)

24